

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**KEENU JAQUAN DUDLEY,**  
#10306-509,  
Movant,

v.

**UNITED STATES OF AMERICA,**  
  
Respondent.

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Civil Action No. **3:24-CV-1014-L**  
(Criminal Action No. **3:20-CR-398-L-6**)

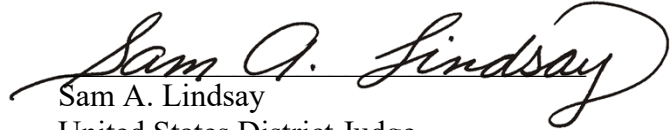
**ORDER**

On June 6, 2025, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 31) was entered, recommending that the court **grant** Movant Keenu Jaquan Dudley (“Movant” or “Mr. Dudley”) an out of time appeal based on ineffective assistance of counsel and reenter the criminal judgment in Criminal Case No. 3:20-cr-398-L-6; **dismiss without prejudice** his § 2255 Motion (Criminal Case Doc. 349); and **direct** the clerk of court to re-enter judgment in in Criminal Case No. 3:20-cr-398-L-6. No objections to the Report have been filed, and the 14-day period to object after service of the Report has passed. *See* Fed. R. Civ. P. 72(b)(1)(2); 28 U.S.C. § 636(b)(1)(C). For the reasons stated herein, the court **accepts** the Report.

Having considered the Report, Motion, and record, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Instead of granting Movant’s Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255, the court **grants** Movant’s request to file an out-of-time appeal and **denies without prejudice** Movant’s Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. By separate document, the court will enter an amended judgment in Criminal

Case No. 3:20-cr-398-L-6, from which Movant can appeal. The only revision to the amended judgment will be the entry date. Proceeding in this manner achieves the same result and is consistent with the judicial remedy crafted by the Fifth Circuit for allowing out-of-time appeals. *See United States v. West*, 240 F.3d 456, 459-60 (5th Cir. 2001).

**It is so ordered** this 26th day of June, 2025.

  
Sam A. Lindsay  
United States District Judge